

Meeting Minutes – draft

Mayor's Advisory Committee For Equal Access (MACFEA)

Tuesday, January 16, 2018

Mo'ikeha Building, Meeting Room 2A-2B

4444 Rice Street, Lihu'e, HI 96766

Members Present: Rita Manriquez – State Traumatic Brain Injury Advisory Board (STBIAB); Roberta Eiben, Consumer; Betty Bell, Kaua'i Federation for the Blind; Suzie Woolway, O'hana Home Health; Kathy Sheffield, National Alliance on Mental Illness; Ellen Ching, Community Member

Absent and excused: Dr. Lucy Miller – DCAB (Disability and Communication Access Board)

Also present: ADA Coordinator Linda Nuland Ames; Deputy County Attorney Sinclair Salas-Ferguson; Office of Boards and Commissions: Administrative Specialist Lani Agoot and Support Clerk Sandra Muragin

CALL TO ORDER

Chair Roberta Eiben called the meeting to order at 12:33 p.m. with 6 members present.

INTRODUCTION OF MACFEA MEMBERS AND STAFF

APPROVAL OF THE MINUTES

- Regular Open Session Minutes of April 18, 2017

Ms. Ching asked that the minutes be amended on page 6 by changing the word "commitment" to "compliance."

Action: Ms. Ching moved to approve the minutes as amended. Ms. Sheffield seconded the motion. Motion carried 6:0.

GUEST SPEAKER

- Kaeo Bradford – Workforce Investment Act Administrator, Office of Economic Development

ADA Coordinator Linda Nuland Ames: Kaeo is unable to attend; something else came up. I wanted her to update people on our summer internship for students with disabilities. I covered a lot of it in the letter I sent to you on October 13th. For the second summer we partnered with the Department of Vocational Rehabilitation (DVR) to hire students who have IEPs (Individual Education Plans) with the Department of Education. By in large it went well, there are always some hiccups along the way where perhaps students are put in a job, particularly if they have sensory issues, where they

find out that for some reason they can't do the job but I think we kept seventeen (17) of the students employed throughout the period. This year, because of my outreach to the deaf community, we had two (2) students; one, a high school senior and one, who is in college now, participate in the program. We hope to continue through the summer. If any of you attended the legislative forum put on by the Developmental Disabilities Committee then you heard there is some disturbing news. This was under the Workforce Innovation and Opportunity Act funding – it looks like that funding is drying up for next summer. There is still funding in a different category. I'm not quitting on this. I worked really hard to get it going. There is other funding through the same program that is for people who tend to be chronically unemployed or under employed which, for reasons I don't understand, includes a different category. So it might be people who have lost use of limbs; I'm thinking military veterans. There are certain categories which still include the sixteen (16) to twenty-four (24) age groups. For example, I found out that for students who are deaf we can fit them under that category and they have clearly, in these various work programs, not had the same opportunities as some of the students with different disabilities. I stay in touch with Vocational Rehab and Kaeo is working on seeing what funding we can find. We kind of focused on developmental disabilities for the first two (2) summers; we are going to have to shift that into other categories. But the whole purpose is, first of all, to increase the self-esteem of students because they get to go out and show what they can do. They see more opportunities ahead of them, but also to have the diversity that we should in the workplace. One of the students who returned for a second summer actually had her pick of the departments to go to so what we were trying to do was very beneficial in that regard. Right now I don't know how this is going to work out; we will need to know by March to get things in place. I will update you as that comes along. This was so successful after the first summer that we had more requests for students than we could fill this past summer.

BUSINESS

- Discussion on MACFEA membership

Administrative Specialist Lani Agoot: Paula is out of town right now and basically her suggestion was, just as we did before, we made an amendment to MACFEA's Policy to go from thirteen (13) members to nine (9) members. We were trying to drop it down to seven (7) but at that time we didn't want to have to remove any current members. When you have seven (7) members it is easier to make quorum and so we wanted to bring that up as a discussion because you have seven (7) members right now. It is for you folks to consider. If you choose to go ahead and amend the Policy then I would schedule a public hearing and go through the process as we did before.

Ms. Ching: I will make a motion to start the process to amend the Policy to change the membership from nine (9) to seven (7).

Ms. Woolway: I second. I would like to have more discussion. I think people are invited – you invited me to participate as an opening came up and I don't know if that is something to discuss also – how we are getting people here; limits to time so we can get more variety in here. What are your thoughts on that?

Ms. Nuland Ames: Technically everyone is appointed by the Mayor. The period of appointment runs with the Mayor's term which is four (4) years unless reelected; and then probably reappointed again. The idea behind these – citizens advisory councils are what they are called under the ADA – was about Title II, about the governments, state, federal, and local governments figuring out how to become ADA compliant. No one expected something like that to happen even within a few years. So they wanted citizens to whom these things meant a lot to gather together and decide what needed to be done, and in what order. If people say Kaua'i took several years to get compliant – well that is kind of how the plan went. But what was wanted was the input of the residents into how to prioritize everything. The ADA has been around – I think it's the twenty seventh (27th) year. These advisory committees have shrunk; they are not as energized and the problems I am seeing has more to do with focusing on how to keep things in place. Buses break down, do we have enough with lifts. We are lucky here, we have one of the better transportation systems from what I hear but that is at a big price. And what do you do if there are areas where there hadn't been curb-cuts originally but now, for example, perhaps there are more people there or it's part of safe routes to school so more kids are walking that way. And then just the fact that things fall apart over the years.

I have gone back to the parks to look at ones that were fully compliant but we have vandalism and people rip out the handrails and so forth for reasons I don't understand. Then sometimes the rails might not be put back in the exact space. If you go through and read all the technical aspects of the ADA's many volumes – and it has changed over the years – what the specifications are. So it is not hard for some maintenance guy to go in and put the rail too far from a sink; or a wall; or a toilet; or too high; or too low. So I went with a couple of parks people about two (2) years ago and we picked five (5) parks to go back and look at when we had the original plans to make them accessible. In most areas we found a problem, like a route to a water fountain for example was now not functional. The placement of the handrails, as I mentioned, weren't correct. It is so expensive to bring – particularly something outdoors – into compliance that the County, like most, went for the fastest and cheapest way to do things but that often means the methodology doesn't hold up over the years. So where a sidewalk might be above the ground, they would pack hard dirt to make a ramp up to it instead of ripping out all the pavement and redoing everything. It is all understandable why those things would be done and the person who was hired as the ADA consultant had actually recommended that – I got out all the old documents to go through them – well now it erodes. We had wide gaps in fencing so that people could get through with walkers or wheelchairs or scooters but then with erosion, the big cement concrete sunken blocks that hold the fence post in place were exposed and it narrowed some of the entrances to about twenty (20) inches. We got those fixed about two (2) years ago and I am starting to get calls now that some of them – you have people going through, and the rain, and the wind – it is a constant thing to keep up with. I don't know where those things are so what I encourage people to do if they are upset about the parks, at least take photos and send them to me. Or come join us and be the person who is keeping an eye on the parks.

In Kalāheo I wound up with a group of people – it started with a teenager who was very upset because the sensory domes, the tactile warnings, that is the bumpy matts on the ramp or approaching a ramp or traffic – Kaua'i, like almost every place in the nation, opted for these heavy rubber ones and they don't last that long. They don't last long where people get hot summers and cold winters – they certainly don't last long in Florida or Hawai'i – and they were starting to rip up. They were all over the place. If I saw them I took a photo and sent it off to Public Works. A teenager in Kalāheo got very upset because his Auntie almost tripped on one and called me and I said get me a photo so we got that one fixed right away. And then he started telling the neighbors, and this was when I was stuck working at home and my phone kept beeping because the neighborhood was going around checking every place. Well that is how it really should be and we were able to get that taken care of pretty well. But no one wanted to join the Committee.

I have also talked to a lot of people who are in public housing about problems they are encountering, how important their voice would be whether it is State or County. Of course I can only do things about the County but we can all report any State problems. Some of them were how long it took to get into a unit with an accessible bathroom or on the ground floor, and nobody allowed for enough accessible parking especially in places like Hanamā'ulu and what used to be Rice Camp in Lihue. They put in what was considered to be the standard number – well it is actually the minimum number of parking spaces depending on the number of cars involved. That is just the minimum. If you know you are going to have more people...because low-income housing often includes people with disabilities; often includes seniors; so a more likelihood of needing to be close to your unit. Clearly whoever designed the places went with what was the minimum and now it has become a big problem with all of the housing.

Now when I speak to people and ask them come join us because they can really make a change in people's lives in the County, by in large, they are scared there will be blowback. Well even if someone reports something they believe is in violation and it turns out not to be, they are fully protected by the ADA against any kind of retaliation. So I had to explain to a few people, well, let me know if you get any grumbles because I can certainly explain to the manager how he just blew a small thing into a big thing. But that was the response I got.

Ms. Woolway: Like with me working with Home Health, I am pretty isolated as a speech pathologist because I am doing mostly administrative work. And I am not trying to bag out on you guys, I am just saying that there might be a more appropriate person than me to be on board. I am not leaving. I am just thinking if there is somebody like from community housing, from the Parkinson's Association, whatever – people that are really...I think would be more impactful than I could be. Like I said, I am not resigning. I am just saying sometimes public contact is imperative for this position on trying to talk to people about equal access.

Ms. Nuland Ames: Well hopefully you can meet some people and talk them into it. We used to have someone specifically for older residents who do encounter more of the barrier problems. There are also parents who have children who will be in wheelchairs

for life or will have speech impediments for life who could speak up about the difficulties and any barriers they are encountering with services. Public housing certainly, retired social workers might be excellent for example, but we have to find them and convince them to have a voice.

Ms. Woolway: Betty, I am not picking on you for your age but I am just thinking some of the senior housing since we have, like you said, Rice Camp where the new senior housing is. Kalāheo is great, that young guy was contacting people. Wouldn't that be cool to have somebody like that, a young man like that on the board who has a lot of ideas and energy.

Ms. Nuland Ames: When I have gone to Rice Camp one of the things I loved was that the hallways and the doorways were wide. It is very easy and open to get around. But then when I saw the bathtub; there were no rails. It should be a housing code that wherever you put a bathtub you put rails because from toddlers to seniors, that is the place people are most likely to get injured and you would think they would do this simple safety mechanism. And then I found out from the people there that the management company will install rails but they have to go to the doctor to get a form filled out; most are on Medicare and that is pricey to do. And why isn't it just common sense to put the rails in? So it is going to cost people money and it was going to take a couple of months. The person didn't want to put in an official complaint but I relayed it to the Mayor anyway because he loves that place and is very proud of it. I hope that improved. I did get the parking problem fixed there. Everyone in the Mayor's Office I talked to about these problems I was hearing about was really kind of devastated that these things weren't thought out in advance. The plans were run through the Disability Communication and Access Board (DCAB); we have to submit all plans to them. They don't 100% approve; they just say this is in compliance with the current specifications. I think if there had been meetings with people who were likely to use that kind of housing perhaps we could have headed this thing off ahead of time.

Ms. Woolway: Knowing that falls in the bathroom are one of the number one things that put people in the hospital for seniors.

Ms. Nuland Ames: Kids too. I looked it up and it's all ages. It is like the most unsafe place to be in the house, closely followed by the kitchen. So all I can do is encourage you to talk to people who have an interest in this being a more livable, walkable, enjoyable community.

Ms. Woolway: Going back to the membership and the number of members going from nine (9) to seven (7). Is seven (7) the minimum and can we have more than seven (7)? So if we have other people that show some interest and maybe want to dabble their toes in it a little bit...

Ms. Agoot: So basically whatever is in your rules or your Policy, that is going to be your max. But even you only have five (5) members you still have that quorum – four (4) members would have to show up. So if you are looking at...let's say you have seven (7)

members and you find someone that would be really awesome – you don't have an empty space for them so it would mean if somebody left then they could fill that spot.

Ms. Woolway: So they could actually be here, they just couldn't be a voting member.

Ms. Agoot: Right.

Ms. Woolway: Could they sit at the table?

Deputy County Attorney Sinclair Salas-Ferguson: It is open to the public.

Ms. Agoot: Right, they just wouldn't be part of the Committee; they would be a member of the public.

Ms. Woolway: Thank you for the clarification on that.

Ms. Ching: My concern is more about having people respond and attend meetings because that has been an issue in the past. When I look around the table today, I think this is really the core group that has been responsive; that has attended meetings over the period of time. I am not as concerned about how many, nine (9) or seven (7). I think it is legitimate to go to seven (7). And I know if Dr. Miller wasn't hurt she would be here because she normally is very good about attendance as well. So in my mind, certainly we want people that are interested and active and will attend the meetings, especially since we changed to quarterly so that if people don't show up, and we don't have a meeting. That is a long time that we won't have a meeting. So my thing is, I think seven (7) is fine and I think this group...I would love to have people that are interested and active but for the most part, I feel like the group we have now represents that and I am happy about that because I don't want meetings to be cancelled, especially since we are down to quarterly meetings.

Ms. Eiben: I agree.

Action: Ms. Ching moved to start the process to amend the Policy to change the membership from nine (9) to seven (7). Ms. Woolway seconded the motion. Motion carried 6:0.

- Elections for Chair and Vice Chair for 2018

Ms. Nuland Ames: I think this was requested by Dr. Miller because it has been a long time since we have held elections which were annually, previously.

Ms. Ching: As Linda discussed earlier our membership is based on the Mayor, and his term is coming to an end. And so in my mind I almost feel if the Chair and Vice Chair are willing to serve to the end of the term, I think that would make sense rather than bringing somebody new in for just two (2) more meetings or three (3) more meetings.

Ms. Woolway: That makes a lot more sense.

Ms. Ching: If everybody is okay – we can have the election and just reelect the new people – do we need to do that because we missed the annual...?

Ms. Woolway: I am fine with that since the Mayor is moving on to bigger things.

Ms. Ching: Do I need to make a motion?

Ms. Agoot: No.

Ms. Woolway: How are you guys with that, Betty and Rita, Roberta and I staying on as Vice and Chair.

Ms. Bell: I'm fine with that.

Ms. Eiben: Ellen how do you feel?

Ms. Ching: I am in favor of that.

Ms. Eiben: Linda?

Ms. Nuland Ames: It's not my call.

Ms. Bell: I have a question on a former discussion if I may. I am wondering, when we talk about the bars and the aides to all of us, but particularly for the elderly and disabled, is that a standard format available that we can talk to these contractors about so they know exactly what is required?

Ms. Nuland Ames: It is in the County contracts that they have to comply with the ADA and someone is designated for that. Under State law the plans have to go to the State for review and approval.

Ms. Bell: So there is nothing standardized...

Ms. Nuland Ames: It is all standardized but it is minimum requirements. You can be following the ADA perfectly on something and then someone comes along for whom the general requirements are not useful and the ADA requires us to find a way to make things accessible for those individuals. What was done in these housing projects was in compliance with the ADA. The problem was that they didn't properly consider who they were serving; for example, the place in Hanamā'ulu. But because there are so many ground floor units and ADA units it is popular for people who need easier access to the units. They didn't appreciate the numbers that were coming in. So they are not violating the ADA, technically. For the individual they may be if the individual says this unit is too far away for me to get to or it's upstairs and I can't do stairs anymore. Then the requirement is that the County or the State, depending on whose housing it is, has to find a way to make it accessible for that individual. You can't really cover every type of disability or access problem so we have the standards for how to build, for what the

slope of a ramp would be, the width of all the access routes, and so forth. But it will never fit everybody so that is why you have the right to petition for changes to make it accessible for each individual. Title III, for Hanapēpē for example and the businesses down there, is a little bit more lenient about it sometimes. But if you look at the small business plans it shows how a store can be in compliance – probably because it's too old and you can't go ripping out support beams to widen doorways, the sidewalk is too narrow to have a ramp, and so forth. So maybe someone has a little restaurant there and it is not accessible to a lot of people. What they can do is, if it is accessible to go to the back and they can have a walk-up/drive-up window to order, or as simple as a bell in the front or buzzer and someone comes out and brings them a menu and delivers the food to them, that would put them in compliance with the ADA. So we always have to think outside the box and find ways to make these things work for everybody.

It is a huge area of law and is constantly changing because of different court cases, for example. But for meeting the building codes and specifications of the ADA, the housing units were okay. But things change and they needed to up the access for a lot of people there. If someone said I need that space and they say no, then you are in trouble. I do keep an eye on that because I don't want us to get sued because someone said no, you can't have a parking space. The Hawai'i Civil Rights Commission keeps a very close watch on any kind of government housing because there is also, just to complicate it for you, the Fair Housing Act which requires even more things than the ADA. So there are a lot of protections in place but people have to assert their rights to make sure they get what they are required to be given. That is why it would be fun to have someone in housing here.

Ms. Eiben: Linda, is it okay if I voice a concern that I have? I do have a concern about the parks here in Hawai'i. When I go there with my PA (Personal Assistant) for lunch I always use the restrooms and they are not in very good order. There is graffiti, the floors are dirty, and they are a mess. There are no paper towels to wipe your hands with; no soap to wash your hands. It is just a concern.

Ms. Nuland Ames: It comes up in the Council meetings all the time and when I go to Oahu to meet with all the coordinators around the State, it is a continuing problem. And not only that, it is a huge financial issue as well. There is a lot of vandalism. On Oahu someone decided to burn down the restroom area and it was new. We kept repairing the one in Poi'pū and within 24 hours it would be wrecked again. If you go in there now it's all stainless steel so they can't smash things to pieces. And there is a cleaning crew out there every morning so that is how quickly things get wrecked and it makes it hard even to keep people in that kind of a job. We are also dealing with this huge housing crisis where our parks, especially with campgrounds, are becoming sort of rouge homeless shelters which are very, very hard on the Parks and Recreation people. They are not trained to deal with all the mental and physical societal issues that come up in those situations. I will invite Parks and Recreation to come and discuss that. One of the things that is bothering me is there has been some major vandalism that anyone nearby would have heard and we are not getting reports in on who is doing the damage. It would certainly be helpful if some people could be charged for what they are doing but it is pretty rare that that ever comes up.

We are also having trouble with some of the bus stops. There was a hearing on that and they are coming up with some new Council regulations because people are shifting into sleeping in the covered bus stop areas now. They are moving in and unpacking, particularly in ones near the beach parks where they can go and shower as well. There is a lot in the works but what can we possibly do to take care of this problem. It really has to be at a State level, County and State working together – and maybe the Feds but I doubt it. It is an overwhelming statewide problem; if you get things cleaned up on one (1) island it's going to shift. If you go to Oahu you can see a camp at one (1) place – they clean it up – you go back to Oahu and everyone has their tents up at Kakaako again. People just kind of move around and there is no overall way to deal with it. And then we have the rising rentals. So there was the article in the paper about a man who lived here for twenty (20) years—always had a home and a job—and then several months ago the rent jumped up and he and his partner could no longer afford it and suddenly they joined the homeless population because there just isn't any place that is affordable. Long lines for public housing; long lines for Section 8 housing; it is a very difficult problem. The emergency overnight housing at KEO, people start lining up at 2:00 and 3:00 in the afternoon. I think it opens at 5:00 and it fills up pretty fast. There are people who have to take para-transit to go there and get in line. And then they don't know until after it's too late to call the bus service whether they are sleeping there that night or they are going to go across the street and sleep in the park. With para-transit it is a twenty-four (24) hour notice. We have people in wheelchairs in line trying to get in there. And then there are problems with people who want to have a safe place to sleep, take a shower, and have some food but they need all their camping gear because they don't know when they will be able to get back into that temporary housing so where do they put that while they are spending the night there. Apparently there is something in the works now to increase the storage space but that is really serious when people have to give up all their belongings, which isn't that much, but that is their camping gear and how they survive.

Ms. Bell: Do you think if you put up signs in bathrooms – this is your facility so treat it kindly – or some type of remark that it might stimulate someone to behave?

Ms. Nuland Ames: No. I think that would be like issuing a challenge. I don't think that would do much good but we can certainly bring it up to Parks and Recreation.

Ms. Sheffield: I would just like to make a comment on the recent Council action yesterday. I think that was totally and perfectly ridiculous as a solution to our homelessness. Why are you going to put more legislation on the books that is not going to be enforced for people who have neither the money nor the means? Most of them have mental illnesses. They are going to end up in the legal system which is already clogged; they are going to get a three-panel and it is the circle again, and again, and again. Why does the Council not see the real issue which is homelessness and all this building? One of the major problems we have here is the contractors are willing to pay anything for rental houses and they will rent those at any price and then put all their workers in it and that is part of what is happening to the rentals, the affordable rentals. I know that. I ended up having to buy a condominium because I had to move every

single year because that is what was happening. I am sorry but that was not a solution. Ten (10) days in jail for someone who might be mentally ill is ridiculous for just looking for a safe place to shelter. And it seems to me with all the land that we have on this island – Grove Farm just gave five (5) acres for the Adolescent Treatment Center – why can't someone provide a safe camping environment for these folks? They are not looking for marble counters and new construction; they are looking for safety and protection of their own things, which is all they are looking for. Statistics tell us that the mentally ill are most often perpetrated on, not perpetrators, so they are not the problem in this. It is lack of services for the people on this island and everywhere; it's not just here. But it seems to me like between the churches and the major landowners here there sure could be something that could be worked out that is a permanent solution because this is all just band aides.

Ms. Nuland Ames: There is a lot going on and I know they tried to jump into something with Sand Island – I was there for some initial conversations. There was no way to get the kids to school, you had to walk about a mile to get the bus service, there was no refrigeration, electricity, no place to cook – they would have to have meals delivered to the pavilion. People became real isolated there and actually lost a lot of freedom. They were basically stuck there until someone did bring them a meal and that kind of all fell apart. As soon as you start opening up grounds and saying you can come and camp here, what do you do about the sanitation, what do you do about running water, what do you do about policing it because some people are very disruptive. You have to make sure it is accessible to everyone. Every Federal and State law jumps in so you can't just say here is a campground. It is a lot more complex than that. I should get in touch with you when I hear more about – there was an attempt to put together a task force – I know a couple of people are working specifically with the Hawaiian community because it's a huge problem there too. Actually when they looked at Kona, over 55% of the people who are homeless and living at the old Kona Airport were Hawaiian or part Hawaiian. The number of people who had been in Hawai'i less than ten (10) years was minimal, it was under 10%. So we have this idea that everyone is flooding here from elsewhere which isn't happening. Almost everyone there had been either born in Hawai'i or been here for twenty (20) years or more so there are a lot of false ideas going around about that situation. But is not as easy as just saying here is some land, here is a campground. I will find out what is happening with the task force for your Kathy, I know you have important words to say about that and should be included.

Ms. Sheffield: And transition housing for the mentally ill too. There is absolutely nothing. Mahelona is always full; they medicate them and turn them back out on the street. There is nobody to advocate for them and there is just no place for them.

Ms. Woolway: What about the Rak homes? What are we doing with those, the adult foster? They are not called adult foster but basically it is a Medicaid – typically Medicaid are the ones – they have to sign over everything of course but they live in these homes that are smaller. Mahelona, I hear you on that one. Trying to get somebody in there is hell. But with the Rak homes or these adult foster homes, they are in a more stable, more family oriented type of situation. They can only have – I think it's three (3) to four (4) adults – and they have supervision and it's great. I have a list...

Ms. Manriquez: Suzie, is that the same...I've never heard it called that, somebody I just ran into...KEO, because KEO was helping the homeless people and KEO does have some houses that three (3) people live in.

Ms. Woolway: I think that is supportive living. It is different.

Ms. Manriquez: That is what I was wondering because the people who live in these houses, there could be like three (3) or four (4) of them; they do have their own problems. And then there are rules and stuff that they cannot be out later than 9:00 or things like that.

Ms. Woolway: That is more of supportive living. The one I am thinking of – Ellen, you might be able to speak to this also with form 1147...

Ms. Ching: I think you have Mental Health Kokua that has the two (2) homes on Akahi Street and the other homes are under Steadfast housing; I believe, in Wailua and Lihue. And I think they have some other homes in Kapa'a. But those homes are usually with a resident manager and I think five (5) unrelated.

Ms. Woolway: That is a different one. Usually they need a lot more supportive care because I am thinking for seniors.

Ms. Ching: Rak homes are bundled care, through Medicaid, and once you go through Rak all of your care is supposed to be coordinated and provided by that home. Unlike other homes that maybe you live in the home and then you go to some other kind of program in outpatient, Rak homes is bundled so all the services and care that you receive is coordinated through the house.

REPORTS

- ADA Coordinator's Report

Ms. Nuland Ames: I sent one to you in October; not a huge amount of changes. I told you about the student program. We did have a formal complaint against us for being mean to someone who claimed they had a service animal – we got that in July or August – provided all our information and have not heard a word back. Maybe sometime if not much is going on in a meeting I will entertain you with my service animal training. It is a massive problem and when I go back for my ADA certification this summer – I am in an advanced group – to try to figure out what we can do legislatively to stop the increasing problems we are having with people claiming that their dog is a service dog. We have the Air Carriers Act which is different from the ADA where you can bring your dog on an airplane with you. People are having allergy attacks; people have been attacked by the dogs; it's a big mess. And if you complain about a dog you are more likely to be removed than the dog and the dog owner. It is a huge mess. Then there is fair housing where basically your doctor says you have a mental health condition and you need your emotional support animal for therapeutic reasons. So

people get their pets – it's not just dogs – declared emotional support animals and they can have them in rental housing.

Ms. Sheffield: But that is the only benefit they get. They get no other benefits.

Ms. Nuland Ames: No, you can't take your bunny with you shopping. People do, and people confuse it with a service dog – which is a dog – and it is trained to do something for you that you can't do for yourself because of the disability. It has to be under your control always. You presume it would be on a leash; it would be very rare if it was not on a leash. And then it has to be very well trained to be with you and under voice control or clacker control or you have an assistant with you. You still have to clean up after the animal and it can still be removed for being aggressive. It can still be cited if it doesn't have a County tag also. But people get all these mixed up and we are having a huge problem. This includes our homeless population in the parks suddenly bringing in dogs that aren't neutered, that aren't trained and claiming they are service dogs. And that is pretty much what happened with what we have going on now.

Ms. Woolway: Buy him a little jacket and type up a piece of paper...

Ms. Nuland Ames: You don't even have to do that; you can just say it's a service dog. And then there are still two (2) questions that can be asked – you wouldn't do it with a guide dog for example because it's obvious what it is doing – but if it's not obvious what it is you can say are you a person with a disability who requires this animal to do something for you that you can't do for yourself. And if it's still not obvious what the dog is doing you can ask what task is it trained to do. Well, word gets around and people know this list they can go through. Our Civil Rights Commission in Honolulu is really gung-ho on this. Watch for legislation, they want to increase the benefits of having an emotional support animal to be on par with a service dog. We are having enough trouble with dogs being attacked and people being attached now with all this going on. So that is going to be – the leg. is in session starting this week so we may be hearing a lot about that. I am looking forward to this summer because this is a national problem now with these animals that aren't trained and are hurting other people's dogs, real service dogs which are valued at \$20–50 thousand dollars because of their training. I will update you after that event. I also had mentioned various things that were coming up in the fall and encourage you to keep an eye on the events and proclamations that are on Kauai.gov because we do seek public input for a lot of things. And I am sure the homeless situation will be coming up.

So apparently we did not have an incoming missile this weekend. It was a fluke and buttons weren't pushed right, and I think maybe that is why a lot of us didn't get any kind of notification or sporadic notification. I got the all-clear but none of the other stuff. I will be asking about do we have another problem with the Connect system because that is how we were supposed to have been notified. It could just be because the whole thing was a screw up that we didn't get it. But before that happened, you might know this name now, Vern Magi, from Hawai'i Emergency Management, is coming to Hanapepe on January 25th, from 6:00 p.m. to 7:00 p.m. I doubt anyone lets him out at 7:00 p.m. This was planned in advance and he is going to discuss what state and

counties are doing to prepare for a possible nuclear threat, and what steps are being taken to educate the public in our community.

Ms. Woolway: The 25th or the 27th?

Ms. Nuland Ames: The 25th, 6:00 p.m. to 7:00 p.m. at the Hanapēpē Library. I found out about it because the information is just going out now; it's ten (10) days away and they want fifteen (15) days' notice if you require an accommodation under the ADA. So if you know of anyone who is planning to go and doesn't like the fact that the time to give notice has already passed, they are welcome to contact me. I am working with DCAB now because this is all State doing. The last time they pulled something like this about three (3) months ago they wanted twenty-one (21) days and DCAB went after them. We only found out about it three (3) days in advance and she made them have interpreters there. We have done this dance before; we are doing it again. No one should not attend if they want to because of that. I can get people in contact with Debbie Jackson at DCAB who will make sure that whatever they need is going to be taken care of. This is kind of a funny thing, we have our own County Civil Defense but it is part of the State and Federal structure – the lines of authority are a little bit strange. I was originally contacted by KEMA (Kaua'i Emergency Management Agency) about this because they thought the twenty-one (21) days was a little funky and I said basically it is a violation of the ADA. And in speaking with them they are now also arranging to have a Pilipino community representative there to handle any language access problems that might come up. So we will get it done if somebody needs something. I will work with them in the State and we will take care of it. If you go then maybe you will get the answer to do you stay in your car, do you lie on the road. I really encourage everyone to go because it is not just the nuclear thing; if we have a hurricane or tsunami we are basically on our own for two (2) weeks anyway, and people need to know what to get and to be prepared. And after Puerto Rico we might be on our own for two (2) years, I don't know. Previously, it has been two (2) weeks of supplies, everything you are going to need and don't count on anyone else getting there is what FEMA has been saying since – I heard it in the summer of 2012 when they first started warning Hawai'i about that. So whether or not anyone is interested in the missile defense, it is still worthwhile to go and hear it from the top that we need to take this preparation seriously. You can't hear a hurricane is coming in a week and rush out and start to put together these kits. It is something people should be building and keeping an eye on way in advance.

Ms. Sheffield: Linda, is he a State guy?

Ms. Nuland Ames: The Administrator from the Hawai'i Emergency Management Agency. Yes, he is State. He was on T.V. a bit on Saturday too. I think that is it for me. I am going to have to leave in about ten (10) minutes because I am doing a police training.

Ms. Ching: Can you include your report and attach it to the minutes for this meeting so that we have the record?

Ms. Nuland Ames: Yes, when the minutes are done she is going to try to figure out what I mumbled. It is always attached.

Ms. Ching: The other comment I want to make is that I think there is just a lot of confusion that people – like when I was working recently with another organization they had a meeting at a County facility for the public and somebody came in with what they said was a service animal which was a chicken. Luckily, I don't know why in the world but I just was telling the two (2) people at the front reception if somebody comes in with a service animal you can't ask to see a certificate. And so this person came in and then all of a sudden they were like – what are we going to do – this chicken is by the food. It was a nightmare.

Ms. Nuland Ames: I will be happy to go and do my little presentation for everyone that has to do just with the service dogs. Service animals are now defined as dogs. In certain instances they are miniature horses, which isn't as silly as it sounds. They are around thirty (30) to forty (40) pounds so they are smaller than my dog; they are smaller than Muffin, Dr. Miller's dog. The reason they are using them – they wouldn't work here because you need a good yard for them to run around when they are not on duty – but they are trained not in five (5) or four (4) years like a dog, they are trained within two (2) years. And they can work for twenty (20) years before they retire. I actually have slides which is part of the presentation. They learn faster than the dogs. The dogs retire usually by the time they are ten (10) so they only have about five (5) years of working; whereas the horses have eighteen (18) years, usually.

Ms. Ching: I think people are wanting to accommodate and want to be sensitive but I can tell you we had a series of public meetings from Kekaha all the way to Hanalei and people are claiming...and they are not dogs; they all kinds of different animals.

Ms. Nuland Ames: Service animals are strictly dogs, by law, dogs or miniature horses. The miniature horses, it says dogs and then there is an asterisk and there is this one exception for the trained miniature horses.

Ms. Sheffield: And Ellen, like she said, until the legislation changes service and comfort dogs are completely different (inaudible). The only privilege that a comfort animal gets is housing. They don't get any of the other privileges of a service animal.

Ms. Nuland Ames: And all the County ordinances apply to the alleged service dogs; on a leash, licensed, and you have to carry a visible sign that you are able to clean up their poop. If you see people who are dog-walkers they usually have a band on their arm and they have the plastic bags; it has to be visible. So that is helping a little bit with straightening out some of the dog issues in the park because people don't want to pay to get the tag but we can lawfully license them to try to get a little – not license them, cite them – until they get the dog licensed. There are some communities that are much stronger, particularly on the mainland, and you have to proof of rabies vaccination and that sort of thing. Ours just cover leash law, license, and not being a nuisance which includes the doggie clean-up. If there is a dog they can often get away with claiming it is their service animal but not if it is a chicken or anything else.

Ms. Manriquez: Linda, can I just say something? It has nothing to do with animals but I wrote myself a note to mention it. And especially since we are overcrowded right now; we have so many tourists on island. But somewhere within the tourist industry they need to be told...because tourist are riding bikes up 580, which is Opaekaa Road going up to the falls. They are riding ten-speed bikes up there. Nobody can see them on a curve and that is also the right-of-way for the Fire Department to go up into the Homesteads. Somebody is going to get killed on that road. So I just wanted you to know that.

Ms. Nuland Ames: Actually you can call up the tourist bureau, particularly if there is a company renting them. I get calls occasionally because there is someone now renting electric scooters and kind of promoting it for the bike path as well. That was questioned and these go walking speed so there is nothing wrong with them; they are not putting out any exhaust, they are just mobility scooters. But they called to question me about it and I had to get the information about the scooters and yes, it is acceptable. It is no different from having a motorized wheelchair. And actually he was renting them for one day only – I think it was twenty-nine (29) dollars with delivery and pick-up. It was really kind of a great service and they did it because of a family member who wanted so much to go on the bike path and they found a way. She was so overjoyed and then he got a few more.

Ms. Manriquez: But somebody is going to sue the County for not having known that they cannot ride a bike on the road.

Ms. Nuland Ames: Well somebody is renting the bikes, probably – you said it's like groups of ten (10) or something?

Ms. Manriquez: No. People are renting bikes because they are obviously tourists but they are riding up the Opaekaa Falls Road.

Ms. Nuland Ames: Right. So I am saying the rental company is the right one to notify. But you can certainly call the tourist bureau. I forget what it's called.

Ms. Ching: Kaua'i Visitor's Bureau?

Ms. Nuland Ames: Yes.

Ms. Sheffield: It's not legal to ride a bike on the street?

Ms. Nuland Ames: It is legal but she is saying that it is dangerous because it is a winding road.

Ms. Manriquez: It is a safety issue.

Ms. Nuland Ames left the meeting at 1:35 p.m.

- Updates/Announcements

Ms. Bell: We had the guide dog people come and speak to us but they also brought bags full of gifts for some of us. And one thing that I would like to share, I got a telephone. This telephone is an answering machine – it's just a regular telephone – and the numbers are big enough so that as poor as I see, I can work it out. They gave me a little calendar that I can push the button and it will tell me what day it is and what time. Everyone got something different. But it isn't just guide dogs they are in to and it might be an interesting program sometime to invite them here. Just a suggestion.

Ms. Sheffield: We secured grant money to train all of the Police Department in mental health first aide and that is going to commence shortly. We hope to have them all trained. We have been training the recruit classes and now we have been approached to teach all of the Police Department.

Action: Ms. Woolway moved to adjourn the meeting at 1:40 p.m. Ms. Ching seconded the motion. Motion carried 6:0.

The next meeting will be on Tuesday, April 17, 2018 at 12:30 p.m., Mo'ikeha Building, Meeting Room 2A/2B.

Respectfully submitted by: _____
Lani Agoot, Administrative Specialist

() Approved as circulated () Approved as amended